IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.1442 OF 1996
IN
SUMMONS FOR JUDGMENT NO.64 OF 1995
IN
SUMMARY SUIT NO.4545 OF 1994

National Standard Duncan Ltd. .. Appellant.

V/s.

Modistone Limited .. Respondent.

Mr.Hrishitesh Shende i/b. Mulla & Mulla for the appellant.

Ms.K.V. Gautam, Dy. Official Liquidator is present.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 10TH AUGUST, 2005.

P.C. :

Mr.Shende, Advocate appears for the appellant and prays for time. We find no justifiable ground to adjourn the matter.

2. We perused the order dated 1st October, 1994 impugned in the present appeal. By the said order, the summons for judgment taken out by the plaintiffs-appellants was adjourned sine-die since the proceedings under the Sick Industrial Companies Act, 1985 in relation to the respondent company were pending. We are now informed by Ms.K.V. Gautam, Dy. Official Liquidator who is present in the Court that the respondent company has been ordered to be wound

up.

3. For all these reasons, the appeal has to be dismissed. The appeal is dismissed. No costs.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)